

# THE TIMES

of

## Scotch Plains - Fanwood

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William A. Burke for The Times

**NEW CHALLENGE...**The Scotch Plains Zoo, which has been located in the township for more than 40 years, was recently cited by the state Division of Fish, Game and Wildlife for multiple violations. Zoo owner Harold Kafka, who has applied to the Scotch Plains Board of Adjustment to initiate improvements at the site, plans to appeal a decision by the division not to renew his operating permits. Yesterday, a judge appointed an attorney as custodian to oversee the care of approximately 150 animals at the zoo and the operation of the facility pending further action in the case.

### JUDGE APPOINTS ATTORNEY TO OVERSEE ZOO OPERATION

## Zoo Owner to Appeal Charges That Animals are Kept Under Unsatisfactory Conditions

By SUZETTE STALKER  
Specially Written for The Times

The owner of the embattled Scotch Plains Zoo filed last week for an administrative hearing before the New Jersey Division of Fish, Game and Wildlife to defend himself against charges that the animals at his 6.5 acre spread are living under unsatisfactory conditions, and vowed that the popular zoo would remain part of the community.

Division officials refused to renew Harold Kafka's operating permits for the zoo in January, claiming that he had failed to correct multiple violations concerning public safety and animal welfare at the facility, which has been located in the township for 40 years. Mr. Kafka and his wife, Deborah, bought the zoo from former owner Frank Terry in 1994. The establishment is bordered by Raritan and Terrill Roads and Clover Lane.

Yesterday morning, Judge Frederick C. Kentz, Jr. in Superior Court in Elizabeth appointed an attorney to oversee the care of the approximately 150 animals at the zoo and the operation of the facility pending the appeal.

On Thursday, March 20, Judge Kentz is expected to receive a report from the custodian, as well as from an independent veterinarian, regarding conditions at the zoo, at which time the judge will determine whether or not the custodian's services will still be necessary.

Fish, Game and Wildlife Division spokeswoman Sharon Southard said that the decision not to renew Mr. Kafka's permits was made following an inspection on January 16 by state inspectors who toured the facility at Mr. Kafka's invitation. She said that the zoo owner had failed to correct past violations for which he had been

cited, as well as new allegations including "inadequate shelter, filthy cages, lack of food and water and inadequate heat and ventilation."

In a letter dated January 28, the division advised Mr. Kafka "to immediately address" the problems at the establishment, according to Ms. Southard. The zoo owner was advised at that time that he had 30 days to file for an appeal. If he did not file by the March 3 deadline, he would have had 15 days to make arrangements to relocate the animals to other licensed zoos in New Jersey or outside the state. A date for the appeal was still pending as of yesterday.

Ms. Southard remarked that all the cages at the Scotch Plains Zoo which house potentially dangerous animals, such as big cats, must be "examined, altered and repaired in order to protect public safety." She maintained that there are currently various problems with the cages, some of which she said are old or in need of repair.

The spokeswoman stated that the ventilation issue involved a buildup of ammonia vapors, which the inspectors claim was caused by excrement, in the quarters of the giraffe, the camel and the flamingoes. She said officials found there also was "an uneven source of heat" for the pygmy hippopotamuses, which require a certain level of warmth because they are indigenous to tropical climates.

In addition, the division informed Mr. Kafka that he had to provide a "full-spectrum of lighting" for those wildlife who require it for their metabolism, vitamin or mineral needs. "We also told him that all the animals have to have food and water provided continually during their activity period," Ms. Southard added.

Mr. Kafka declined to discuss specifics of the allegations by the Fish, Game and Wildlife Division, but said he planned to hold a live press conference at a later date. He told *The Times* last Friday, however, that "my animals are not mistreated, they're not without food, not without water." He added that he has a veterinarian who works for him and a staff of between five and 22 people, depending on the need, to help him operate the establishment.

Judge Kentz issued an injunction on February 25 at the request of Mr. Terry and his wife, Louise, who still hold the mortgage on the establishment, formerly known as the Terry Lou Zoo. The order calls for the independent veterinarian to inspect conditions at the zoo, and prevents the Kafkas from selling or removing any of the animals from the site, though Mr. Kafka emphasized that this was never his intention.

Mr. Kafka confirmed that he is still proceeding with plans to upgrade the zoo by enlarging the animal enclosures, erecting interior fencing between eight and 15 feet high to keep the cats from climbing over, expanding the giraffe area, modernizing the facilities, improving the parking area and providing supplemental landscaping.

He said a detailed architectural sketch requested by the Scotch Plains Board of Adjustment is completed and will be available to him after he has finalized payments to the engineer who did the work.

"The zoo is not going anywhere," Mr. Kafka stated, adding that he remains on good terms with Mr. Terry and is up to date on his mortgage payments for the zoo. "Whatever differences there are with the Division

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### Neighbors State Concerns Over New Driveway

By BRIAN CAROVILLANO  
Specially Written for The Times

The Fanwood Planning Board convened last Wednesday to discuss the fate of the property located at 49 Fifth Street. A contingent of neighbors turned out to protest what they thought was a request to extend Fifth Street through to La Grande Avenue and thus make it a thru passage between South Avenue and La Grande, but their fears were assuaged.

The owner of the property, Ernest Fantini of Edison, was granted a subdivision in 1985, such that the land would eventually harbor two homes. That plan is about to become a reality, but first, Mr. Fantini has filed a request to change the stipulations originally laid out in the 1985 agreement.

In addition to increasing the total coverage and the new home's frontage, Mr. Fantini is seeking to construct the new driveway to open onto Fifth Street, rather than onto La Grande, as was laid out in the original plan. It is here that the neighbors' concern over the fate of Fifth Street arises.

In order to construct the new driveway out to Fifth, the paved section of the road needs to be extended 28 feet to allow for access to the new driveway. Many of the area's residents were under the impression that this would mean connecting the South Avenue section of Fifth Street with the section adjacent to La Grande. There is no danger of this occurring, officials said, and the neighbors walked away mostly relieved. There was concern, however, that any extension of Fifth Street from the La Grande side might cause drivers' confusion in low visibility situations.

"Anything that remotely resembles a paved road there would attract problems," cautioned Sally DeVries of nearby Helen Street.

A debate did arise regarding the use of borough land for private purposes, an issue which is introduced by the extension of Fifth Street for the sole purpose of driveway access for Mr. Fantini's new house.

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## Scotch Plains Budget Of \$15,330,811 Million Has Three Tax Point Hike

By JEANNE WHITNEY  
Specially Written for The Times

The Scotch Plains Township Council introduced a municipal budget of \$15,330,811 Tuesday that is 3.5 percent or \$522,992 more than last year's budget. Included in the action is a three-point tax rate increase for the year that translates into \$34.50 per \$115,000 of assessed property value which is about \$230,000 market value. The figure is based on an average home in the township, officials added. One tax point equals \$91,000 overall, officials indicated.

"We're fine with this budget," Councilman William F. McClintock, Jr. said, with other council members nodding in agreement. The budget was introduced in a special five-minute public meeting.

Since 1990, the municipal portion of property tax bills have increased a total of \$241, according to officials. The municipal budget is the smallest portion of residents' tax bills. Last year, nearly 18 percent of each tax dollar kept the township government running while over 62 percent paid Board of Education bills and almost 20 percent went to the county. The three portions add up to the total local tax bill.

The Union County budget for 1997 has not yet been released. Scotch Plains Municipal Manager Thomas E. Atkins said. The Scotch Plains-Fanwood Board of Education approved a tentative \$41.8 million school budget last Thursday.

"It's a favorable year for Scotch Plains taxpayers," Mr. Atkins added, about the budget numbers to come. "I think they'll (taxpayers) be given a break."

Mr. Atkins also said that the township is not required to wait for state approval of the municipal budget this year.

"Towns like Scotch Plains that are in good financial standing are allowed to adopt the budget after a self examination," he said.

A public hearing on the budget will take place on Tuesday, April 8,

with adoption expected to follow by the council.

Local officials acknowledged that the township had been "hit hard" with significant increases to state pension funds this year, particularly for police and fire personnel. Also cited were labor contracts with the Police Benevolent Association and the Scotch Plains Public Works and Recreation Association.

Parts of the municipal budget are regulated by state "caps" as to how much spending may increase in one year. This year's appropriations inside the cap law are 2 percent over the 2.5 percent allowed. Officials said they can "turn to the cap bank... where there was some leeway in adopted budgets to go higher." The state allows towns to place the amount of money below the cap in its "cap bank." The funds, though, must be used within two years.

A public vote is not necessary to adopt an excess of 2 percent, officials said. The municipal reserve is \$1,300,000, up 3.6 percent from last year.

On a separate matter, the council said it would consider an agreement to allow owners Paul DiFrancesco and Silvano DiMonte to build a second floor with four apartments over businesses on Park Avenue. The proposal includes extending 15 feet into the "right of way" or easement that would cover a portion of the sidewalk at the rear of the building, according to officials.

The project, okayed by the township Planning Board last December, involves waivers for six parking spaces and site plan approval. The agreement includes nine conditions that must be satisfied.

In other business, the council said it would consider authorizing a two-year lease and purchase state contract of five new Ford model police cars. The lease approach allows the township to buy the cars at the end of the year, officials said. They also said approval for the purchase of two pickup trucks last year would be funded in the

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## School Board Approves Tentative \$41.8 Million Budget for 1997-98

By SUZETTE STALKER  
Specially Written for The Times

A tentative 1997-1998 school budget of \$41,839,819 was approved last Thursday by the Scotch Plains-Fanwood Board of Education, calling for a 2.64 percent increase over last year's approved budget and a 3.13 percent increase in the tax levy, according to Board Secretary and Business Administrator Richard J. Marshall.

School district officials were still awaiting data earlier this week from the township and the borough concerning actual tax rates, which are based on taxpayer population and the number of tax ratables in each community.

Board member August A. Ruggiero said that the moderate increase represented by the 1997-1998 budget was due to staff salaries having been negotiated within the 3 to 3.5 percent range, while other costs remained level. No new initiatives were incorporated into the new budget, he confirmed, beyond the district's five-year cyclical review of textbooks and other curriculum needs.

Fellow board member Edward J. Saridaki, Jr. described the tentative

budget as "very sound," adding that he felt it would renew the public's confidence in the ability of school board members and district administrators to come up with a fiscally responsible spending plan. "I think that it's a budget that the majority of people will be able to pass with a clear conscience," he observed. The budget will go before district voters on Tuesday, April 15.

The board also approved the school calendar for 1997-1998, which includes 184 days, including two days allocated for staff development and two built-in snow days, with the academic year scheduled to wrap up on June 19, 1998. In addition, the body approved a motion on first reading to adopt a policy for the district concerning "the use of computers, computer systems and computer networks, including the Internet."

The policy, which reflects the school board's position that the "use of technology and computer-assisted communications is vital to our students' success," maintains that "the district encourages the use of computer-assisted communications such as the Internet and student-to-student

collaboration when it supports the curricula of the district and advances the learning process."

It continues with the provision that "school employees, students and parents/guardians of students must be aware that access to the Internet and/or other computer networks or systems may be withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established by the school and the school district."

Board member Jessica D. Simpson said parents, students and district staff members might possibly enter into an agreement concerning "acceptable use" of the Internet.

"This goes to the core of our concerns," commented board member Albert J. Syvertsen, who recommended that use of the Internet be monitored with "extremely close supervision" because of misinformation or inappropriate material to which students may be exposed when they log onto the system. "I'm deeply con-

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## Rahway Road Subdivision Tabled by Planning Board

By SALLY E. BECKWITH  
Specially Written for The Times

A quorum of five members of the Scotch Plains Planning Board met on Monday evening to hear the application of Enrico and Carla Pigna of Rahway Road, for a minor subdivision of their lot into its original two lots.

In a letter to the Pignas' attorney, James A. DoCampo of Hackensack, Scotch Plains Zoning Officer Robert La Costa had stated that "Both of these lots are substandard in the area. Therefore, in my opinion, these lots have been merged into one."

Mr. La Costa had based his opinion on a New Jersey Supreme Court decision, *Lochner vs. Campoli*, in 1967 that stated "when a landowner wishes to use two undersized contiguous lots as separate building lots, where one or both are undeveloped, in order to utilize and separately sell these lots, he must obtain a subdivision from the Planning Board and a variance from the Board of Adjustment."

In 1994 the Pignas purchased the property with a small house on one of the lots. They did considerable remodeling work on the house, but now wish to build a larger house on the second lot. Mr. Pigna, a mason whose

business is in Scotch Plains, told committee members that he wished to remain in the township and "build a bigger home for my family to grow in."

The Pignas at present have two children. Mr. DoCampo argued to the board that his clients' property has been two lots "from an historical perspective," and that they are still indicated as such on the township's tax map. If the Pignas' property is considered one lot, this would require the re-subdivision back into the original two lots. This application for re-subdivision would need the board's approval. The Pignas, upon this approval, would then have to apply to the Board of Adjustment for the several variances their proposed new home would require.

Another point of discussion was whether a periodic runoff of rain water down a watercourse on the Pignas' property should be defined as a "stream bed which carries water on an average of six months of the year," as defined under the Preservation of Natural Features section of the Township of Scotch Plains Building Code.

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**GOING FOR THE GOAL...**The Citizens Committee for the Fanwood Bullet Proof Vest Fund, which is conducting a campaign to outfit members of the Fanwood Police Department with up-to-date bullet proof vests, recently received a special donation from two youngsters, Julie and Gregory Bartolomei, who saved from their allowances to contribute to the worthwhile cause. The committee, which has been appealing to Fanwood residents and businesses for contributions, hopes to raise a total of \$12,000. So far \$8,500 of that amount has been raised. Pictured, left to right, are: Front row, Julie and Gregory Bartolomei; back row, committee members Thomas Keiser, Jr. and Peter Chemidlin, Sergeant Thomas Jedic, and committee members Michael Glassett and Neil Schembre.

### Deadlines Told For Submittals To The Times

Those persons preparing press releases for submission to *The Times* are reminded that copy should be E-mailed or faxed by 4 p.m. on the Friday prior to publication. *The Times'* E-mail address is goleader@aol.com. The fax number is 232-0473.

Releases, pictures, and letters to the editor can also be dropped off at our office located at 50 Elm Street or through our mail slot. To ensure that submittals reach our office prior to deadline we encourage E-mail or faxed material.

Sports stories which occur prior to the weekend should be in by the Friday deadline. Weekend sports events must be submitted by noon on the Monday prior to the publication date. Obituaries will be accepted up to 3 p.m. on Tuesdays.

All copy must be typed, double-spaced, no more than 500 words in length, and include a daytime telephone number where the submitter can be reached.

For events which are planned months in advance, we encourage submission of stories as early as possible prior to the event.

Please note that in addition to making our deadlines, the publication of submittals may be delayed due to space considerations. All submittals are subject to being cut due to length, edited for style and clarification at the discretion of the editor.